

STATE OF NEVADA



COMMISSION ON ETHICS

COMMISSION PANEL DETERMINATION  
REGARDING JUST AND SUFFICIENT CAUSE  
NRS 281.511(3)

COMMISSION PANEL: CAREN JENKINS AND RICK HSU

IN THE MATTER OF THE REQUEST FOR OPINION  
CONCERNING THE CONDUCT OF  
**Kevin Phillips, Mayor, City of Caliente; Chairman,  
Joint County and City Impact Alleviation Committee**

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**Request for Opinion  
No. 06-23**

On May 31, 2006, pursuant to NRS 281.462, a Commission panel reviewed the Executive Director's Report and Recommendations Regarding Just and Sufficient Cause, the request for opinion filed herein, and all related documents and determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion on the allegations that Mr. Phillips violated the provisions of NRS 281.481(1), NRS 281.481(2), and NRS 281.571(1)(e).

Specifically, the panel recommended just and sufficient cause exists for the full Commission to hold a hearing and render an opinion regarding whether Mr. Phillips violated:

- NRS 281.481(1) by accepting a trip to France from COGEMA/AREVA, a nuclear waste contractor hired by the U.S. Department of Energy's Yucca Mountain Project and whether such conduct would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
- NRS 281.481(2) by using his position as Mayor of the City of Caliente and Chairman of the Joint County and City Impact Alleviation Committee to secure unwarranted privileges, preferences, or advantages for his wife, a person to whom he has a commitment in a private capacity to the interest of that person, when his wife accompanied Mr. Phillips on the trip to France accepted from COGEMA/AREVA.
- NRS 281.571(1)(e) by not reporting on his statement of financial disclosure receiving a gift from COGEMA/AREVA in excess of \$200.

The Request for Opinion is, therefore, REFERRED TO THE NEVADA COMMISSION ON ETHICS, and is scheduled for hearing on Wednesday, June 14, 2006 in Carson City, Nevada.

DATED: June 1, 2006

Caren Jenkins

Caren Jenkins, Chair